



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: November 21, 2003

SUBJECT: (Request to Establish a Cellular Tower Use in the CRE, conservation, Recreation, Education Zoning District / 1501 S. Maryland Drive, Plan Case No. 1872-SU-03)

Introduction

Verizon Wireless is currently requesting approval to construct a Cellular tower on property located at 1501 S. Maryland Drive. The request is part of a cooperative effort between the University of Illinois and Verizon Wireless to improve campus security through “enhanced 911” and GPS technology. The University owns the tower site that is located directly behind the Meat Science Building and Verizon has constructed the tower prior to their application for a Special Use Permit. Telecommunications towers are permitted in the CRE, Conservation-Recreation-Education Zoning District with a special use permit.

Background

Description of the Site and Surrounding Properties

1501 S. Maryland Drive is located on the west side of Maryland Drive and lies between Pennsylvania and Florida. The property is a long and narrow lot, which is directly adjacent to the Mt. Hope Cemetery. The lot is approximately 158.5 feet wide and 280 feet deep and contains University of Illinois structures, such as the Meat Science building, Taft House, and a parking lot area. The tower site is a leased tract of land approximately 2,200-square foot in area located directly behind the Meat Science building. The site is accessed off of Maryland Drive with an existing gravel drive.

Proposal

The University contacted Verizon Wireless to help address campus security needs by improving emergency response on Campus. According to Verizon, the tower will allow the University of Illinois to offer security option to its staff and students. Panic/emergency buttons systems on cell phones will allow Campus Security to utilize a Geographic Positioning System (GPS); this would allow security to identify the exact location of a distressed person's call and their subsequent movements. The tower also is able to enhance the service coverage of Verizon wireless by providing improved coverage to its clients throughout the entire community. The new tower increases calling capacity thus providing fewer instances of lost signals for cellular callers, which is an important issue facing the efficiency of the future campus security system.

The subject tower was constructed the last week in October 2003 and is currently operational. Verizon Wireless constructed the tower prior to submitting an application for a Special Use Permit. Verizon has built the 110-foot monopole tower, the equipment shelter and the propane tank. Through an administrative oversight Verizon was not aware of the municipal regulations governing new telecommunications towers in Urbana. They have halted further construction on the site until they receive a Special Use Permit from the City of Urbana. The proposal is to continue operating the telecommunications use and to complete the entire tower site plan after complying with the City requirements. Construction items that have not yet been completed but are shown on the site plan include an eight-foot brick wall with a gate, regrading of the gravel drive access, and painting the tower a dark green color. Adequate ingress and egress to the site are important and required by ordinance. Proper screening and landscaping are also required to minimize the visual impact of the tower.

According to Section V-11-4 of the Urbana Zoning Ordinance, the Plan Commission can consider factors when recommending that the City Council waive or reduce the burdens on the applicant if the goals of the telecommunications ordinance are better served. The goals of the ordinance are to protect the residential areas and land uses from potential adverse impacts of towers; encourage location of towers in non-residential areas; encourage towers to locate to the extent possible in areas where the adverse impact on the community is minimal; and to configure them in a way that minimizes the adverse visual impact of the through careful design, siting, screening and innovative camouflaging techniques. The proposal meets various goals of the ordinance and minimizes the impact based on the location of the tower, its configuration and the aesthetic measures taken to camouflage the site. Staff is in support of the proposed wall as the primary screening mechanism for the tower.

Discussion

Requirements for a Special Use Permit

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate specific criteria. On November 20, 2003 the Urbana Plan Commission considered the following:

- 1. That the proposed use is conducive to the public convenience at that location.*

The location of the tower is conducive to the public convenience at this location. The location and site design minimize the impact of the tower to residential areas and the community. The tower location will fill a telecommunications need for cellular users in Urbana and will enhance the campus security at the University of Illinois by providing new GPS capability and improved emergency services.

- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The tower use, with its supporting structures, is designed so as not to cause significant visual impacts to the surrounding area and community. Considerations of the public welfare have resulted in the location of the use and the aesthetic plans to adequately screen the tower.

- 3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

The proposed use should comply with all development standards of the zoning ordinance. The tower will also require final inspection from the Urbana Building Safety Division to ensure all building codes are met. The tower should not alter the essential character of the district in which it is located. The use should provide services that enhance the public, educational and recreational nature of the district through improved security.

Summary of Findings

At the November 20, 2003 hearing, the Plan Commission adopted the following findings:

1. The proposed use is conducive to the public convenience at this location. It would allow for the telecommunications tower to be utilized by the public, including both the University of Illinois and the general community. The tower location will increase the efficiency and quality of cellular communication in the area and enhance the safety of all residents.
2. The proposed tower use would not pose a detriment to the district in which it is proposed to be located.
3. The proposed tower meets all applicable standards and regulations of the district in which it is located. A telecommunications tower use is considered an appropriate use in this zoning district.
4. The proposed improvements to the tower site should provide adequate screening and protection of the tower use. The use as proposed should not pose a detriment to the surrounding neighborhood.

Options

The City Council has the following options regarding Plan Case No. 1872-SU-03:

1. Approve the request for a special use permit without any additional conditions;
2. Approve the request for a special use permit with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. Deny the request for a special use permit.

Recommendation

At its meeting on November 20, 2003, the Plan Commission moved to recommend approval of the request with conditions by a vote of 5 to 0. For the reasons articulated above, the Plan Commission and staff recommend that the City Council **APPROVE** the requested special use permit with the following **CONDITIONS**:

1. The tower use and subsequent construction shall conform to the submitted site plan.
2. The tower shall meet the applicable building code requirements by obtaining necessary building permits through Urbana Building Safety and necessary inspections to verify compliance.
3. The tower use landscaping requirements shall be waived. The 8-foot wall surrounding the site shall be made with brick veneer material with a wrought-iron style gate as submitted in the site plan.

Prepared by:

Michaela Bell, Senior Planner

Attachments: Draft Ordinance

Minutes of the November 20, 2003 Plan Commission meeting

Location Map

Photo Exhibit

Site Plan (not available in Digital Format)

c: Verizon Wireless, Attn: Terry Sharp, 500 Maryland University, Suite 250, St. Louis, MO 63141
Stu Harrison, 42 W. Spruce, Canton, IL 61520

ORDINANCE NO.2003-12-138

An Ordinance Approving A Special Use Permit

(Establish a Cellular Tower Use in the CRE, Conservation-Recreation-Education Zoning District / 1501 S. Maryland Drive, Plan Case No. 1872-SU-03)

WHEREAS, the subject property, 1501 S. Maryland Drive, is zoned CRE, Conservation-Recreation-Education, and a Telecommunication Tower use is allowed only as a Special Use in this zoning district.

WHEREAS, Verizon Wireless has petitioned the Urbana Plan Commission in Case No. 1872-SU-03 to consider a request for a special use permit to allow a Cellular Tower use located at 1501 S. Maryland Drive; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on November 20, 2003 concerning the petition filed by the petitioner in Plan Case No. 1872-SU-03; and

WHEREAS, on November 20, 2003, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the visual impact of the tower; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and Section V-11, Telecommunications Facilities, Towers, and Antennas, and with the general intent of these Sections of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a Cellular Tower use in the CRE, Conservation-Recreation-Education Zoning District with the following conditions upon approval:

1. That the tower use and subsequent construction conform to the submitted site plan.
2. That the tower shall meet the applicable building code requirements by obtaining necessary building permits through

Urbana Building Safety and necessary inspections to verify compliance.

3. That the landscaping requirements for the tower be waived.

The 8-foot wall surrounding the site should be made with brick veneer material with a wrought-iron style gate as submitted in the site plan.

LEGAL DESCRIPTION:

Lot 4 and Lot 8 in Gallivan's Addition to the City of Urbana, situated in the County of Champaign, in the State of Illinois.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this ____ day of _____, 2003.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this ____ day of _____, 2003.

Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 2003, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving A Special Use Permit (Establish a Cellular Tower Use in the CRE, Conservation-Recreation-Education Zoning District / 1501 S. Maryland Drive, Plan Case No. 1872-SU-03)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2003, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2003.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: November 20, 2003
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Laurie Goscha, Michael Pollock, Bernadine Stake
MEMBERS EXCUSED: Lew Hopkins, Randy Kangas, Marilyn Upah-Bant, Don White
STAFF PRESENT: Rob Kowalski, Planning Manager; Michaela Bell, Senior Planner; Teri Andel, Secretary
OTHERS PRESENT: Ed Fiskus, Stu Harrison, Ben Jones, Barbara Morgan, Terry Sharp, Susan Taylor, John Thies, Jill Van Vought

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:32 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

Chair Pollock requested to move Plan Case #1839-S-02 to be reviewed as the last item under New Public Hearings. The Plan Commission approved of the change.

3. APPROVAL OF MINUTES

Ms. Stake moved to approve the minutes from the October 23, 2003 meeting as amended. Mr. Douglas seconded the motion. The minutes were then approved as amended by unanimous voice vote.

6. NEW PUBLIC HEARINGS

Plan Case # 1872-SU-03: Request by Verizon Wireless for a special use permit to establish a Cellular Tower use at 1501 South Maryland Drive.

Michaela Bell, Senior Planner, introduced the case and gave a brief description of the site and surrounding properties. She discussed the proposal and some factors to be considered that are noted in the written staff report. Staff recommendation was as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Plan Commission recommend approval of the proposed special use as presented to the Urbana City Council, with the following conditions:

- 1. That the tower use and subsequent construction conform to the submitted site plan.*
- 2. The tower shall meet the applicable building code requirements by obtaining necessary building permits through Urbana Building Safety and necessary inspections to verify compliance.*
- 3. The tower use landscaping requirements shall be waived. The 8-foot wall surrounding the site should be made with brick veneer material with a wrought-iron style gate as submitted in the site plan.*

Ms. Stake asked if there was any room for landscaping? Ms. Bell replied that there was possibly room for landscaping. The Zoning Ordinance requires security fencing and landscaping plan with plant material. Usually cell towers are surrounded with chain-linked fences, and that was why they would require plant material. They are adhering to the University of Illinois's aesthetic requirements. Staff felt that they are already using quality materials and that it should look well and provide adequate screening; therefore, staff was recommending that more plant materials were not necessary.

Ms. Goscha questioned how this case comes under the City of Urbana since the University of Illinois owns the property? Ms. Bell answered that was true, but the University of Illinois needed to adhere to the City's telecommunication ordinance and go through the special use permit procedure for new towers in the CRE, Conservation-Recreation-Education Zoning District.

Terry Sharp, Real Estate Manager for Verizon Wireless for the Central Illinois markets, Ed Fiskus, Assistance Performance Manager for Verizon Wireless, and Stu Harrison, Site Acquisition Consultant for Verizon Wireless, approached the Plan Commission to answer any questions.

Ms. Stake inquired as to the nature of the lease. Mr. Sharp stated that the lease was for five years with three five-year option agreements. Mr. Pollock inquired if it was by mutual agreement. Mr. Sharp replied that the option agreements were automatic and could only be stopped by notice.

Mr. Alix asked if the construction of this tower required any changes to coverage patterns of other towers already in the area? Mr. Fiskus responded by saying that this will allow them to reduce power at some of the other sites to make the footprints smaller to let this new tower pick up some of the traffic, which was how they could add capacity. Mr. Alix had heard people

commenting about the quality of Verizon, and he wanted to make sure that this tower would help the situation. Mr. Fiskus replied that this tower would improve the southeast portion of the City of Urbana.

Mr. Douglas commented that he drives by every morning and never knew the cell tower was there. He asked what amount of increase in the calling capacity would this tower give Verizon? Mr. Fiskus replied that it was hard to put an exact number on it. There are currently three cell sites that cover the campus area, which are one in Downtown Urbana, one in basically Downtown Champaign, and the last one was just south of the Assembly Hall. This one would be almost on the grid to the southeast corner of the University of Illinois' campus. It would take up at least 25% more capacity than what they have with the other three cell towers.

Mr. Douglas inquired if the main function would be for emergency service and GPS. Mr. Fiskus stated that was a side benefit of the capacity and the coverage. It would make the quality of the calls much better.

Mr. Douglas mentioned that he knew Verizon had people who checked on municipal regulations. He asked if this procedure was missed accidentally? Mr. Sharp stated that this was an oversight, and he took responsibility for it. When this site was first given to him about a year and a half ago, he approached the University of Illinois and they were not interested at all in having a cell tower on University property. After starting negotiations with Mt. Hope Cemetery, the University of Illinois approached Verizon Wireless about installing security systems. Verizon's GPS was their solution. There was a quick reversal where the University of Illinois invited Verizon Wireless to construct a cell tower. During the entire process, Verizon failed to come back to the City of Urbana and check the regulations. He noted that they have worked in a number of communities where universities are exempt from zoning regulations, but not from building regulations. Mr. Alix noted that to Verizon's credit, the University of Illinois had been somewhat confused about the City's zoning authority with respect to the University of Illinois.

Ms. Goscha noted that one of the things that the Plan Commission was to consider was whether this would be injurious to the public welfare. She questioned if the cell tower was located close to the dormitories? Was it acceptable to have a cell tower 500 feet from a residential occupancy? Mr. Fiskus answered definitely. Verizon's engineer was required to do a radio frequency emission study on every cell tower to be constructed. With the site that was built, there was 140 watts of energy going up to the antenna, which the compliance matrix tells them that the cell tower must be 69 feet high. The cell tower was built 110 feet high. He added that if someone were 8 to 10 feet in front of the antenna, then they would still be safe.

Ms. Goscha inquired if the University of Illinois had looked into the fact that the Laredo Taft Building was a historic property and Verizon located a cell tower right behind it? Mr. Fiskus mentioned that Verizon had a letter from the Illinois Historic State Association saying that it was fine with them for Verizon to build the cell tower.

Mr. Alix moved that the Plan Commission forward this case to the City Council with a recommendation of approval subject to the staff report, specifically that it conforms to the site

plan, conforms with building code, and waiver of landscaping requirements. Mr. Douglas seconded the motion.

Mr. Pollock commented that he was a little concerned that this tower had already been constructed. So, he drove by it and found it in a location that was as least intrusive as it could get in an urban setting for this kind of tower. Although he was not wild about cell towers, he felt that this would be a good one to have because it will enhance emergency service. He also felt it was a good location for it.

The roll call was as follows:

Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Ms. Goscha	-	Yes	Mr. Douglas	-	Yes
Mr. Alix	-	Yes			

The motion was approved by unanimous vote.

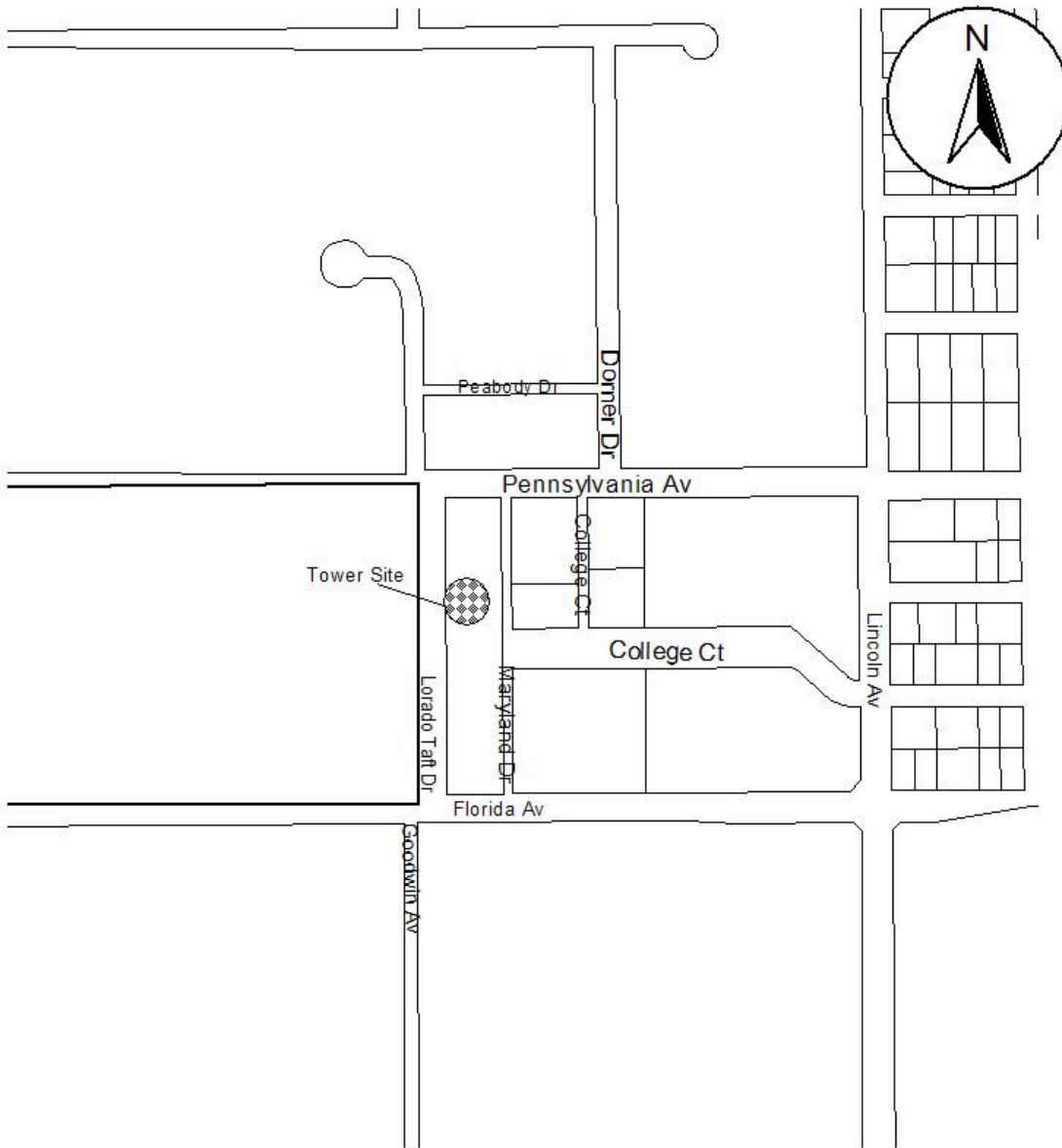
12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
 Urbana Plan Commission

Exhibit "A": Location Map



1872-SU-03
Request for 110 ft. Tower
1501 S. Maryland Drive
Petitioner: Verizon Wireless

0 250 500 Feet




Photo Exhibit
1872-SU-03
Verizon Wireless

Facing West from the Tower Site



Cell Tower Site-Facing North



Cell Tower Site-Facing East



Tower Site-Facing North